

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9069

October 27, 2021

SUMMARY OF BILL: Prohibits an employer from taking an adverse action against an employee based solely upon the employee's COVID-19 vaccination status. Authorizes an employee injured as a result of a violation to bring a private cause of action for injunctive relief and recover the costs and reasonable attorneys' fees against the employer.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The U.S. Supreme Court issued a ruling in February 20, 1905, *Jacobson v. Massachusetts*, upholding the right of states to compel vaccination.
- Each state decides which vaccines are required based on recommendations from the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP).
- Immunization or vaccination for COVID-19 is currently not required by any state or local governmental entity in Tennessee. Prohibiting any such future requirement will not result in a significant fiscal impact to the state or local government.
- The proposed legislation will not significantly impact any programs or policies of state or local governments or result in a significant increase in caseloads; therefore, any fiscal impact is estimated to be not significant.
- If the proposed legislation prohibits a state or local entity from following any future federal vaccination mandate, federal funding could be jeopardized.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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